

The Town of Moriah Town Board held their Regular Town Board Meeting on Thursday, May 9, 2019 at 6:00pm at the Town of Moriah Court House, 42 Park Place, Port Henry, New York.

**Present:** Thomas Scozzafava Supervisor  
Paul Salerno Councilman  
Matt Brassard Councilman

**Absent:** Tom Anderson Councilman  
Luci Carpenter Councilwoman

**Others Present:** Bill Cook, Jamie Wilson, Bill Trybendis, Ed Roberts, Sharon O'Connor, Ann Tesar, Cecelia Wojciukiewicz, Robert Stevenson, Diana Stevenson, Tim Rowland, Paul Mazzotte, Rich Lapier, Paul Reese, Chip Perry, Mark Davenport and Rose French-Town Clerk. (Arnie McMurtry arrived at 6:15pm)

Supervisor Scozzafava opened the meeting at 6:00pm by saluting the flag.

**ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** that the Town of Moriah Town Board approve the minutes from the previous meeting.

The Supervisor stated that Councilman Anderson and Councilwoman Carpenter have been excused.

Supervisor Scozzafava introduced Paul Mazzotte; he would like to say a few words about the 6% increase in assessment letters that went out.

Mr. Mazzotte stated he had a meeting the end of February with New York State Office of Real Property Services. The estimated residential assessment is at 94%. The Tentative Roll is due May 1<sup>st</sup>. Mr. Stack from NYS stated that if the assessments were not raised, it would impact the Star Program. The School would lose 4 Million dollars. The Supervisor stated that we are supposed to be at 100% assessment; we dropped to 94% that's why the 6% increase. As long as the Town and School stay within the tax cap, taxes should not go up. The Supervisor stated we need this re-evaluation. He also stated that the Town Board has no control over the Assessor's or the Tax Roll. He also stated that if you are unhappy with your assessment there are procedures in place for you to challenge it. The Supervisor stated that putting it on Social Media and yelling at him is not going to help.

Councilman Salerno thanked Mr. Mazzotte for being here tonight. He asked if all taxable parcels went up and the Supervisor said no, just residential. Councilman Salerno asked if the Town and School stay within the tax cap, taxes should not go up; the Supervisor and Mr. Mazzotte said that is correct.

Ann Tesar asked if this would affect the Star program and the Supervisor stated the School would lose 4 million dollars.

Paul Reese asked if waterfront property would be raised 6% and Mr. Mazzotte stated only residential, if they did "neighborhoods" then yes, waterfront would have gone up.

#### **Floor Open to the Public:**

N/A

#### **Department Head Reports:**

Bill Cook-Bulwagga Bay Campground Manager gave a report. He stated as far as he can tell from the campground map, there are 207 sites; 116 seasonal sites have been rented; that leaves 76 available. He has 4 people with outstanding deposits; they are included in the 116. People on

the waiting list have already been assigned. He has a new waiting list with 13 people on it; 6 of those people already have a site but want lakefront and one already has a site but wants another specific site. He feels he is getting a handle on things. All the lists that were left were hand written and hard to figure out. He has put everything into a spread sheet. The Supervisor asked if he has reached out to Wayne and Ruth Plunkett and he said no. Mr. Cook would like to spruce things up at the campsite. The Supervisor stated that we are in the process of getting rid of 2 campers and a boat.

Rich Lapier-Building Codes issued 2 building permits for the month of April. Responded to 2 complaints, and he has a mobile home permit for Arnie McMurtry; the trailer will have to be inspected before the application is approved. Mr. McMurtry asked why. The Supervisor stated the trailer needs to be inspected and tagged before it can be occupied. Mr. McMurtry was upset, he stated that is why he got the permit first; he asked if he could set it in place before it is inspected, the Supervisor stated the trailer permit will not be approved until it is inspected; Mr. McMurtry asked if he could move it and the Supervisor said not until it is inspected.

Jamie Wilson-Highway Superintendent had nothing to report.

Chip Perry-Wastewater Treatment Plant Operator had nothing to report. He asked if Councilman Brassard was going to bring up the income surveys and Councilman Brassard said yes.

Ed Roberts-Animal Control Officer reported we have had 8 confirmed rabies cases in the Town of Moriah. Paul Reese asked if they were all raccoons and Mr. Roberts said yes.

### **Town Board Report's:**

Councilman Brassard read the Police Report: Handled 126 calls for service. 7 Violations – 2 harassment 2<sup>nd</sup> degree, 1-violation for permitting a dog to run at large, 1-violation for providing inadequate shelter for a dog, 2-violation for failure to license a dog, 1-disorderly conduct. 2 Misdemeanors: 2-aggravated unlicensed operation of a motor vehicle 3<sup>rd</sup> degree. 0 Felonies. Issued 18 traffic tickets. Handled 5 traffic accidents. Conducted 11 pistol permit background investigations.

The Supervisor thanked Mr. Roberts for creating the Facebook page for lost dogs in Moriah. That has helped a lot.

Councilman Brassard reported he went around last night and today trying to get more people to fill out the income surveys; they are concentrating on apartment buildings. They got 5 last night and 7 today. If you would like to volunteer to help that would be greatly appreciated. We are at 40%, it is critical to get these back; it is for 8 million dollars in grant money to fix the sewer infrastructure.

Councilman Salerno reported he spoke to Art Morgan Water & Sewer Superintendent; they will be paving all the areas where they had water breaks this past year/winter.

Councilman Brassard reported on the new sidewalks on Main Street. This was DEC grant money from the DEC ear marked for Port Henry. They needed to be done. The Supervisor stated that a contractor is doing the work, not the Highway Department.

Councilman Salerno reported that Amtrak will be doing extensive renovations to the Senior Citizen Building/Train Station. The Supervisor reported that they will be trying to hire local contractors.

### **Supervisor's Report:**

The Supervisor reported that May 16<sup>th</sup> Kubricky will start paving the Rock Cuts, there will be one lane traffic and they are hoping to have it done in 2 – 3 days. Paul Reese asked about the parking on Main Street, when will it be changed. The Supervisor stated it is the Towns call. DOT recommends it. The Town has not made a decision yet, he and Mr. Wilson need to speak to the Town Board about it. The Supervisor stated that the public parking lot next the Post Office has helped a lot.

Councilman Brassard stated that the crosswalk by Celotti's at the top of convent hill will be moved further south, back closer to the front of the store so it will be more visible. Mr. Reese asked about the intersection at the bottom of Edgemont Road; the Supervisor said there is no good way to change it unless you go in one way and out the other.

The Supervisor reported we are having problems with pigeons getting in the Cupola at the Iron Center Museum and they are making a mess. We received an estimate from Orkin; \$3,285.00. The Town Clerk has submitted this to our insurance; waiting to hear back. Councilman Salerno asked if it was determined how they are getting in and the Supervisor said yes, slats in the Cupola. The Supervisor stated he does not need the Board to make a decision tonight, we will wait to hear from the insurance.

The Supervisor stated that we are currently going through an audit. The Auditors are doing 2018 and 2019. This is due to the dissolution of the Village of Port Henry. They have given some good suggestions regarding the landfill. The Board needs to look at the entire operation; we need scales. Paul Reese asked if the Transfer Station is just for Town of Moriah Residents and the Supervisor said no, it is a County system. Mr. Reese asked when we would get scales and the Supervisor reported that Cheyenne Morin, Transfer Station Operator is going to retire the end of July, this would be a good time to look at the whole operation.

The Supervisor asked Mr. Wilson where we were at with refrigerators and freezers and Mr. Wilson stated he has left the company 2 messages and has not heard back. Councilman Salerno asked what other counties were doing and the Supervisor stated that he did not know.

The Supervisor reported we have \$185,000 leftover in the 2012 Forge Hollow Grant; they will extend the deadline to December.

The Supervisor reported that all employees will have to take Sexual Harassment and Workplace Violence training; even elected officials. He is trying to set something up at the Moriah Fire House; split it up into 2 different days.

The Supervisor was notified by National Grid that they will be doing some high line modifications throughout the Town; Switchback and Mineville area.

Employees attended a training on April 12, 2019 regarding asbestos awareness; it was very informative. The issue the Town had with the Department of Labor due to the burnt out building on Main Street is over. Councilman Salerno asked if the same person still owned the building and the Supervisor stated as of right now, yes.

The Supervisor stated he received an email from Jim Hughes-Port Henry Fire Department regarding coin drops. He said to contact the Town Clerk and she will let you know what is available. The Town Clerk gave dates that have already been taken.

There will be a free tire collection day Saturday, June 8, 2019 from 8:00am – Noon at the Ticonderoga Highway Department. Jamie Wilson stated the highway department has picked up about 50 tires off the side of the road in the last week. Councilman Salerno stated he read in the paper about a hazardous waste disposal day also, the Supervisor stated that will be in Ticonderoga this year, they try to rotate towns.

**Resolutions:**

**93. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED TO DECLARE LEAD AGENCY**  
**Port Henry Sewer & Water Main Replacement Project**

**WHEREAS**, The Town of Moriah proposes to implement a Sewer and Water Main Replacement Project (hereafter referred to as, "proposed action") including:

- Replacement of approximately 715 LF of water line
- Replacement of water main buried gate valves
- Water Service Improvements, including curb stops and trench repairs
- Replacement of approximately 770 LF of sewer line
- Sanitary sewer main liner installation
- Manhole repair and installation
- Pavement restoration

(hereinafter referred to as “said Actions”), and;

**WHEREAS** said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;

**WHEREAS** said Actions are defined as an Unlisted Action under SEQR pursuant to 6NYCRR Part 617.4 and 617.5, and;

**WHEREAS** multiple agencies have approval or funding authority over said Actions, and;

**WHEREAS** 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review of an Unlisted Action be established prior to a determination of significance, and;

**WHEREAS** 6NYCRR Part 617.2(u) defines “Lead Agency” as, “an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required”, and;

**WHEREAS** the Town of Moriah intends to act as Lead Agency in the coordinated review of said Actions as an Unlisted Action under SEQRA and further intends to implement and complete all responsibilities of that office,

**THEREFORE, BE IT RESOLVED** that the Tow of Moriah Town Board declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions as an Unlisted Action under SEQRA.

**94. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** a **Resolution Making Certain Determinations in Relation to the Town of Moriah Port Henry Sewer & Water Main Replacement Project for the New York State Environmental Quality Review Act Pursuant to 6NCRR Sections 617.6 (a)(3), (b)(4) and 617.7 (b)(4);**

Port Henry Sewer & Water Main Replacement Project, New York State Environmental Quality Review Act Determination. Unlisted Action, Negative Declaration.

**Whereas**, the Town of Moriah owns and operates a municipal water and sewer system in the hamlet of Port Henry in the Town of Moriah; and,

**Whereas**, the Town of Moriah proposes the replacement and rehabilitation of sewer and water main infrastructure on 1<sup>st</sup> Street, Oak Lane and Ridge Lane, including the replacement of approximately 715 LF of water main, 770 LF of sewer main, water service improvements, sewer laterals, sanitary sewer main liner installation, manhole repair and installation and pavement restoration.

**Whereas**, the Town of Moriah has received a NYS Office of Community Renewal Community Development Block Grant to replace and rehabilitate the sewer and water main infrastructure that serves the Port Henry neighborhood of 1<sup>st</sup> Street, Oak Lane and Ridge Lane.

**Whereas**, the Town of Moriah will retain Engineering Services through RFP process of an engineering firm duly licensed in the State of New York to develop final design and construction documents; and,

**Whereas**, the Town is required to comply with the New York State Environmental Quality Review (SEQR) Act – 6NYCRR Part 617; and,

**Whereas**, the proposed project has approval from the New York State Historic Preservation Office, Tribal Historic Preservation Office of the St. Regis Mohawk Tribe, New York State Adirondack Park Agency, New York State Department of Conservation Natural Heritage Program, and United States Fish & Wildlife Service; and,

**Whereas**, the proposed project improves existing infrastructure in a residential area where no critical habitats exist and it has been determined that proposed project activities shall have no impact on ecologically or historically sensitive areas.

**Therefore, Be It Resolved**, that the Town of Moriah has determined the Port Henry Sewer and Water Main Replacement Project to be an Unlisted Action under SEQR pursuant to Sections 617.6 (a)(3), (b)(4) and 617.7 (b)(4); and,

**Be It Further Resolved**, that this Determination of Significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

**Be It Further Resolved**, that the Town Board, in its role as lead agency for this action, has concluded that a short EAF is sufficient to determine the significance of the action; and,

**Be It Further Resolved**, that the Town Board of Moriah has herein determined that the proposed action to improve sewer and water main infrastructure in the designated project area is otherwise precluded from additional environmental review under the State Environmental Quality Review Act (SEQR) Environmental Conservation Law Article 8.

**95. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** authorization for Supervisor to use NYS Office of General Services for “mini bid” to purchase a new Police vehicle (to replace 2009 Crown Victoria).

Discussion: This is due to the fact that the Crown Victoria will not pass inspection and is unsafe to drive.

**96. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** authorization to issue a BAN for new Police Vehicle through Orrick Bond Counsel and Glens Falls National Bank.

Discussion: The Supervisor stated there is a vehicle right on the lot; a 2018 Durango with the police package already on it. We still need to do the “mini bid”.

**97. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to declare 2009 Ford Crown Victoria as surplus and advertise for bids to sell in “as is” condition.

Discussion: The Supervisor stated that the bid opening will be at the next Town Board Meeting on June 13<sup>th</sup>.

98. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to require a Certificate of Insurance from Seasonal Campers requesting a boat dock for loading/off loading only naming Town as additional insured; \***NOT ALLOWED TO USE DOCKS FOR ANY OTHER PURPOSE!**

Discussion: The Supervisor stated this is mainly for Port Henry Beach. He believes the Village of Port Henry allowed this in the past, but it is a liability concern.

99. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** authorizing change order for Sidewalk Project with Adirondack Concrete to deduct electrical conduits and extend walk north. Decrease \$2,200.00.

100. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to accept proposal from Avery Energy for monitor heater installation at Court House Basement for record storage room \$2,457.26.

Discussion: Rose and Becky have been over there a lot with the audit going on and there needs to be some heat down there.

101. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to increase Campsite Manager Contract from \$16,000.00 to \$17,000.00 for 2019 Season.

Discussion: The Supervisor said he is to blame for this; when he spoke to Bill Cook regarding the amount, they had agreed upon \$17,000.00.

102. **ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** authorization to refund William Cook \$1,950.00 for seasonal campsite at Bulwaga Bay Campsite for 2019 season.

Discussion: Manager gets a site and he had already paid for his before he took Manager position.

103. **ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to declare surplus and junk two (2) travel trailers and a boat at Bulwagga Bay. Scrap them.

Discussion: Councilman Salerno asked if a Board member could bid on these. The Supervisor said no, it would be a conflict of interest. Bill Cook and the Supervisor looked at them, that are not usable. The Supervisor asked Jamie Wilson if the Highway garage wanted them and Rich Lapier stated he would just bury them at the Highway Garage. Mr. Wilson said no, they would go to the scrap yard. The Supervisor stated it will be first come first serve.

**104. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to reimburse Essex County in the amount of \$1,562.00 for water & sewer that was levied on 2017 and 2018 Town and County Tax bills for Melanie Toohey due to a clerical error.

**105. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** RESOLUTION AUTHORIZING THE SUBMISSION OF A 2019 ADK SMART GROWTH GRANT APPLICATION FUNDED THROUGH NYS DEC TO REQUEST FUNDING FOR CAMPGROUND RE-DESIGN & IMPROVEMENTS AT BULWAGGA BAY

WHEREAS, the Town Board of the Town of Moriah, has granted their full support of the submission of an Application for a 2019 ADK Smart Growth Program Grant funded through NYS Department of Environmental Conservation.

WHEREAS, the Town of Moriah understands that this program is a reimbursable program and must upfront all project related costs prior to seeking reimbursement.

NOW, THEREFORE, and after due deliberation, it is hereby enacted, ordered and resolved as follows; the Town of Moriah Board fully supports the submission of the 2019 ADK Smart Growth grant application.

**106. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** a Resolution adopting a revised procurement policy

**WHEREAS**, goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to:

- (1) Assure the prudent and economical use of public monies, in the best interest of the taxpayers;
- (2) To facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances;
- (3) To guard against favoritism, improvidence, extravagance, fraud and corruption; and

**WHEREAS**, to further these objectives, the Town Board of the Town of Moriah is adopting internal policies and procedures covering all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law §103 or any other general, special or local law; and

**WHEREAS**, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures in this respect.

***NOW, THEREFORE, BE IT RESOLVED***, by the Town Board of the Town of Moriah in a regular town board meeting duly convened that the Town of Moriah does hereby adopt the following procurement policy pursuant to §104-b of the General Municipal Law which is intended to apply to the purchase of all goods and services which are not required by law to be publicly bid.

Discussion: This was a suggestion from the Auditor's. Amounts have been changed. Councilman Salerno asked if the procurement policy became null and void during an emergency and the Supervisor stated a "State of Emergency" would have to be issued.

**107. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to approve payment of the warrant.

**108. ON MOTION** by Councilman Salerno, seconded by Councilman Brassard, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to appoint Benjamin Wagner to the Waterfront Committee.

Discussion: On suggestion from Mark Davenport.

**109. ON MOTION** by Councilman Brassard, seconded by Councilman Salerno, the following resolution was

APPROVED	Ayes	Scozzafava, Salerno, Brassard
	Nays	0
	Absent	Anderson, Carpenter

**RESOLVED** to approve application for payment to Adirondack Concrete in the amount of \$82,585.00 for the sidewalk project on Main Street.

#### **Floor open to the public:**

The Supervisor reported that he and Councilman Brassard looked at the flooding at Port Henry Beach and the boat launch. The DEC promised new bathrooms if they could hook on to the Town's sewer line; this has not happened yet; what they have down there now are just outhouses. The Supervisor spoke to the DEC and they are going to do something; they said they are going to get right on it. The Town will help; shared services. Mr. Wilson feels that he and Ed Roberts-Building & Grounds maintain everything; more then what is the Town's. Rich Lapier stated that the boat launch is a mess; there has been a branch down for a month and a half; the Supervisor stated then pick it up; as Town employees if we see something; fix it or pick it up. He stated that there was garbage all along Joyce Road and the Highway employees drive by it every day; pick it up.

Paul Reese reached out to Westelcom regarding fiber optics on the Supervisor's suggestion and they will hook anybody up along that route (Cheever and Elk Inn Road) probably sometime in the Fall.

Ed Roberts stated that Monday they will begin putting up the Veterans Banners.

Cecelia Wojciukiewicz agrees with the Supervisor regarding roadside garbage; sometimes it sits there for months. Jamie Wilson said he disagrees; they are constantly picking up roadside garbage.

The Supervisor would like to thank everyone who has volunteered to pick up roadside garbage. He said it is a huge problem, get a road clean one day and the next there is already garbage on it.

The meeting adjourned at 7:05pm.



**Abstract Distributions:****Claim Numbers:**April 26, 2019

General	\$6,399.94
Highway	\$1,189.98
Water #1	\$267.77
Water #2	\$187.11
Water #3	\$1,595.74
Water #4	\$27.42
Sewer #1	280.45
Sewer #2	\$94.94

2019/572-602

May 9, 2019

General	\$26,846.75
Highway	\$32,114.20
Water #1	\$2,969.18
Water #2	\$2,501.35
Water #3	\$4,353.13
Water #4	\$163.22
Sewer #1	\$17,110.64
Sewer #2	\$7,166.59

2019/606-743

**Capital Projects:**

Tarbell Hill Pump Station	Environmental Design	#2	\$18,000.00
Tarbell Hill Pump Station	Environmental Design	#3	\$5,540.00
Main St. Sidewalk Project	Adirondack Concrete	#2	\$82,585.00

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 Town Clerk